

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-12, 14, 15 and 18 are now present in the application. Claims 1, 2, 5, 11, 12, 14 and 15 have been amended. Claims 13, 16 and 17 have been cancelled. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claim 13 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

As the Examiner will note, claim 13 has been cancelled to expedite the prosecution. Accordingly, this rejection has been obviated and/or rendered moot. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

Claims 1-3, 5-11, 13-15 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kumar, U.S. Patent No. 5,970,069. Claims 4 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Mergard, U.S. Patent No. 6,401,156.

Claims 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Mergard, and further in view of Brown, U.S. Patent No. 6,845,410. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to incorporate the subject matter of claims 16 and 17. In particular, independent claim 1 recites a combination of elements including "an I2C bus-switching device on the I2C bus for switching a connection of the control system to a different independent sub-system, thereby transmitting signals on the I2C bus to the different independent sub-system via the I2C bus". Applicant respectfully submits that the above combination of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the references relied on by the Examiner.

The Examiner correctly indicated that Kumar as modified by Mergard fails to disclose the above combination of elements as recited in amended claim 1. However, the Examiner asserted that modifying Kumer's RS-232 interface in view of Brown's I2C bus device would teach the above combination of elements as set forth in amended independent claim 1. Applicant respectfully disagrees.

Brown discloses a controller 20 connected to an I2C bus, and a system management port I2C task 1160 managing the communication between an I2C device 1161 and the controller 1100 (see FIGs. 1C and 11; col. 21, lines 43-45). Brown also discloses that the I2C task 1160 will receive request, response and event packets from packet router 1110. The packets are temporarily buffered in queues 1161 and 1163 between the router 1110 and the I2C task. The I2C task 1160 unencapsulates the I2C data from the packet and transmits the I2C data to the I2C device 1162. The I2C task 1160 also receives transmissions from the I2C device 1162, encapsulates the data in a packet, and transmits the packet to the router 1110 (see col. 21, lines 45-53).

However, the I2C task 1160 as described in Brown does not perform the function of an I2C bus-switching device as recited in claim 1 for "switching a connection of the control system to a different independent sub-system".

In addition, the Examiner asserted that modifying Kumar's RS-232 interface in view of Brown's disclosure in col. 21, lines 45-53 will transmit the signals to the different independent sub-system via RS-232. However, claim 1 recites "thereby transmitting signals on the I2C bus to the different independent sub-system via the I2C bus". In other words, in the present invention, by switching the connection of the control system to a different independent sub-system, the signal will be transmitted to a different independent sub-system via the I2C, not via

the RS-232 as the Examiner suggested by modify Kumar in view of Brown.

With regard to the Examiner's reliance on Mergard, this reference has only been relied on for its teachings related the subject matter of dependent claims. This reference also fails to disclose the above combination of elements as set forth in amended independent claim 1. Accordingly, this references fails to cure the deficiencies of Kumar and Brown.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of amended independent claim 1 or its dependent claims. Therefore, Applicant respectfully submits that claim 1 and its dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

Appl. No. 10/000,442

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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BIRCH, STEWART, KOLASCH & BIRCH, LLP

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By

SHAY CANFIELD

Typed or printed name of person signing certificate

By

Joe McKinney Muncy
Reg. No. 32,334

KM/GH/mmi/asc
3313-0431P

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000